

0300
PATENT
Docket No. 12013/55202

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Wei-Ping LI et al.
Serial No. : 09/750,779
Filed : 2 January 2001
For : Controlled Delivery of Therapeutic Agents by Insertable Medical Devices
Group Art Unit : 1633
Examiner : Not Assigned

ASSISTANT COMMISSIONER
FOR PATENTS
Washington, DC 20231

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION.

SIR:

In response to the Notice to File Missing Parts of Application mailed 14 February 2001, Applicants submit the following documents. Applicant hereby requests a two-month extension of time for responding to this Requirement. Accordingly this Response is due, together with the fee for a five-month extension of time (\$1890.00), on or before Friday, 14 September 2001.

- (1) Declaration signed by inventors Wei-Ping LI and Hai-Quan MAO;
- (2) Petition under 37 C.F.R. § 1.47 in lieu of Declaration signed by Kam W. LEONG;
- (3) Declaration by Jennifer L. King In Support of Petition under 37 C.F.R. § 1.47;
- (4) Exhibits A-I in support of Petition under 37 C.F.R. § 1.47; and
- (5) a copy of the Notice to File Missing Parts.

Also submitted herewith are Powers of Attorney signed by the inventors.

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Application Serial No. 09/750,779
Docket No.: 12013/55202

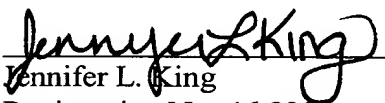
The Commissioner is herewith authorized to charge the \$130.00 late filing fee and the \$1890.00 fee for five-month extension of time for response to Deposit Account No. 11-0600.

The Commissioner is authorized to charge all fees or credit any overpayments relative to the above-cited application under 37 C.F.R. §§ 1.16 and 1.17, to Deposit Account No. 11-0600. A duplicate copy of this sheet is attached.

Respectfully submitted,

KENYON & KENYON

Dated: 14 September 2001


Jennifer L. King
Registration No. 46,828

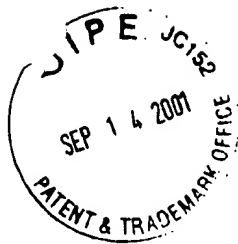
KENYON & KENYON
Suite 700
1500 K Street, NW
Washington, DC 20005
(202) 220-4200
DC341651v1

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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Medical Devices
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Commissioner of Patents
and Trademarks
Washington D.C. 20231

PETITION UNDER 37 C.F.R. § 1.47

Sir:

The above-captioned utility application was filed 2 January 2001 on behalf of joint inventors Wei-Ping LI, Hai-Quan MAO, and Kam W. LEONG. Pursuant to 37 C.F.R. § 1.47, for the reasons set forth below, the Declaration filed herewith is executed only by Wei-Ping LI and Hai-Quan MAO.

Dr. Kam Leong's last known home address is:

Kam Leong, Ph.D.
10242 Breconshire Rd.
Ellicott City, MD 21042.

Although Dr. Leong has signed a Power of Attorney for the above-captioned application, all efforts obtain Dr. Leong's signature on the Declaration filed herewith have been unsuccessful.

On or about 12 March 2001, Scott Bluni, Patent Counsel for Boston Scientific

Corporation (BSC)¹ visited Dr. Leong at his place of business and requested him to sign (1) Powers of Attorney for the above-captioned application and the corresponding international (PCT) application, (2) a Declaration For Utility or Design Application for the above-captioned application, and (3) an Assignment of the above-captioned application to Scimed, all of which documents were provided to Dr. Leong by Scott Bluni.

Kenyon & Kenyon received Powers of Attorney executed by Dr. Leong on 15 March 2001. However, no Declaration executed by Dr. Leong was received in conjunction with these Powers, or at any time thereafter.

On 1 August 2001, Cathleen K. Dyer, Legal Assistant to Scott Bluni, forwarded to Dr. Leong's home address (1) Powers of Attorney for the above-captioned application and the corresponding international (PCT) application, (2) a Declaration For Utility or Design Application for the above-captioned application, and (3) an Assignment of the above-captioned application to Scimed. An electronic mail message from FedEx indicates that the package was delivered and signed for. The documents forwarded by Cathleen K. Dyer differed from those documents brought to Dr. Leong by Scott Bluni in that Dr. Li's name was spelled incorrectly in the documents personally delivered by Scott Bluni.

On 13 September 2001, two voice mail messages were left at Dr. Leong's business telephone number. A message was also sent to Dr. Leong via electronic mail. This message requested that he execute the Declaration and Assignment and forward them to Jennifer King at Kenyon & Kenyon.

On 14 September 2001, electronic mail message from Dr. Leong was received. The message stated that he was in Singapore and that he had previously signed and sent documents. The message also provided a facsimile number.

On 14 September 2001, a second electronic mail message was sent to Dr. Leong, repeating the request that he sign the needed Declaration and Assignment and forward them to Jennifer King at Kenyon & Kenyon. Shortly thereafter, copies of the unexecuted Declaration and Assignment were forwarded to the facsimile number provided in Dr. Leong's

¹BSC is a sibling corporation to Scimed Life Systems, Inc. (Scimed), to which Dr. Leong's two co-inventors have assigned their rights in the above-captioned application. Exhibits A and B.

electronic mail message of 14 September 2001.

No response to the facsimile or electronic mail messages of 14 September 2001 was received. No Declaration executed by Dr. Leong was received.

Accordingly, the above-captioned application is made by inventors Wei-Ping LI and Hai-Quan MAO on behalf of themselves and Kam W. LEONG.

As evidence of the effort to obtain an executed Declaration from Dr. Leong, the Applicants submit herewith copies of the following documents:

1. Copies of an Assignment of the above-captioned patent application to Scimed, signed by Wei-Ping LI and Hai-Quan MAO. Exhibits A and B.
2. Powers of Attorney executed by Dr. Leong. Exhibits C and D.
3. A copy of the cover letter under which Cathleen K. Dyer forwarded the Declaration and other unexecuted documents to Dr. Leong's home address, the shipping label of the package containing these documents, and an electronic mail message from FedEx, indicating that the package was delivered and signed for. Exhibit E.
4. An electronic mail message to Dr. Leong, requesting that he execute the Declaration and Assignment and forward them to Jennifer King at Kenyon & Kenyon. Exhibit F.
5. An electronic mail message from Dr. Leong stating that he was in Singapore and that he had previously signed and sent documents. Exhibit G.
6. A second electronic mail message to Dr. Leong, repeating the request that he sign the needed Declaration and Assignment and forward them to Jennifer King at Kenyon & Kenyon. Exhibit H.
7. Cover page and copies of the unexecuted Declaration and Assignment as forwarded to the facsimile number provided in Dr. Leong's electronic mail message of 14 September 2001. Exhibit I.
8. Declaration by Jennifer L. King.

The Commissioner is hereby authorized to charge the \$130.00 fee required by 37

C.F.R. § 1.17(h) to Deposit Account 11-0600. A duplicate copy of this paper is attached for that purpose. The Commissioner is further authorized to charge any additional fees, or credit any overpayments, arising from this Petition to that same account.

The Applicants invite the Examiner to contact the undersigned to discuss any matter concerning this application.

Respectfully submitted

Date: 14 September 2001

Jennifer L. King
Jennifer L. King
Registration No. 46,828

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KENYON & KENYON
1500 K St., N.W.
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201



PATENT

Docket No. 12013/55202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Wei-Ping LI et al.
Serial No. : 09/750,779
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For : Controlled Delivery of Therapeutic Agents by Insertable
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Group Art Unit : 1633
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**DECLARATION BY JENNIFER L. KING
IN SUPPORT OF PETITION UNDER 37 C.F.R. § 1.47**

I, Jennifer L. King, hereby declare the following:

1. I am a patent attorney with the law firm of Kenyon & Kenyon.
2. I am the responsible attorney at Kenyon & Kenyon for U.S. Patent Application 09/750,779, filed 2 January 2001.
3. The last known home address for Dr. Kam Leong, an inventor of U.S. Patent Application 09/750,779, is:

Kam Leong, Ph.D.
10242 Breconshire Rd.
Ellicott City, MD 21042.

4. Upon information and belief, on or about 12 March 2001, Scott Bluni, Patent Counsel for Boston Scientific Corporation (BSC)¹ visited Dr. Leong at his place of business and requested him to sign (1) Powers of Attorney for the above-captioned application and the corresponding international (PCT) application, (2) a Declaration For Utility or Design Application for the above-captioned application, and (3) an Assignment of the above-

¹BSC is a sibling corporation to Scimed Life Systems, Inc. (Scimed), to which Dr. Leong's two co-inventors have assigned their rights in the above-captioned application. Exhibits A and B.

captioned application to Scimed, all of which documents were provided to Dr. Leong by Scott Bluni. Upon information and belief, Dr. Leong agreed to execute the documents and return them to BSC or directly to Kenyon & Kenyon.

5. Kenyon & Kenyon received Powers of Attorney executed by Dr. Leong on 15 March 2001. Exhibits C and D. No Declaration executed by Dr. Leong was received by me in conjunction with these Powers, or at any time thereafter. Upon information and belief, no Declaration executed by Dr. Leong was received by Kenyon & Kenyon or by BSC in conjunction with these Powers, or at any time thereafter.

6. Upon information and belief, on 1 August 2001, Cathleen K. Dyer, Legal Assistant to Scott Bluni, forwarded to Dr. Leong's home address (1) Powers of Attorney for the above-captioned application and the corresponding international (PCT) application, (2) a Declaration For Utility or Design Application for the above-captioned application, and (3) an Assignment of the above-captioned application to Scimed. A copy of the cover letter, the shipping label of the package containing these documents, and an electronic mail message from FedEx, indicating that the package was delivered and signed for, are provided herewith. Exhibit E. The documents forwarded by Cathleen K. Dyer differed from those documents brought to Dr. Leong by Scott Bluni in that Dr. Li's name was spelled incorrectly in the documents personally delivered by Scott Bluni.

7. On 13 September 2001, I left two voice mail messages at Dr. Leong's business telephone number. I also sent a message to Dr. Leong via electronic mail, requesting that he execute the Declaration and Assignment and forward them to me. Exhibit F.

8. On 14 September 2001, I received an electronic mail reply from Dr. Leong, stating that he was in Singapore and that he had previously signed and sent documents and providing a facsimile number. Exhibit G.

9. On 14 September 2001, I sent another electronic mail message to Dr. Leong, repeating my request that he sign the needed Declaration and Assignment and forward them to me. I then forwarded copies of the unexecuted Declaration and Assignment to the facsimile number provided in Dr. Leong's electronic mail message of 14 September 2001. Exhibits H and I.

10. I have received no response to my facsimile or electronic mail message of 14 September 2001.

11. No Declaration executed by Dr. Leong was received by me. Upon information and belief, no Declaration executed by Dr. Leong was received by Kenyon & Kenyon or by BSC.

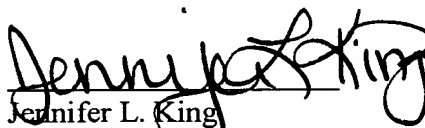
12. Accordingly, I believe that Dr. Leong is an unavailable inventor under C.F.R. §1.47(a).

I, Jennifer L. King declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated:

14 September



Jennifer L. King

Registration No. 46,828

366354<D01>

Attorney Docket: 2844/55201

ASSIGNMENT

WHEREAS, WE,

Wei-ping LI, a citizen of P.R. China,
residing at 828 E. 200 S. Apt 10, Salt Lake City, UT 84102
8/2/01, WZ

Hai-Quan MAO, a citizen of _____,
residing at Block 60, West Coast Crescent, #04-01, West Bay Condominium,
SINGAPORE 128040.

Kam W. Leong, a citizen of _____,
residing at 10242 Breconshire Road, Ellicott City, MD 21042, U.S.A.

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(hereinafter also referred to as "the Assignors"); have invented new and useful improvements in **CONTROLLED DELIVERY OF THERAPEUTIC AGENTS BY INSERTABLE MEDICAL DEVICES**, for which we have made applications for Letters Patent of the United States, said applications being serial number 60/173,743, filed in the United States Patent and Trademark Office on 30 December 1999, and serial number 09/750,779, filed in the United States Patent and Trademark Office on 2 January 2001 and claiming priority from serial number 60/173,743; and

WHEREAS, Scimed Life Systems, Inc., organized and existing under and by virtue of the laws of the State of Minnesota, having an office at One Scimed Place Maple Grove, Minnesota 55311 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the applications and invention therein described and claimed and any Letters Patent that may be issued upon the applications or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said applications for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, international, foreign and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

EXHIBIT A

Attorney Docket: 2844/55201

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.

5. Bind my heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

IN TESTIMONY WHEREOF, we have hereunto set our hand and seal this
____ day of _____, 2001.

Wei-ping Li
Wei-ping Li

Hai-Quan Mao

Kam W. Leong

COPY

Attorney Docket: 2844/55201

ASSIGNMENT

WHEREAS, WE,

Wei-ping LI, a citizen of P.R. China,
residing at 828 E. 2005 Apt 10, Salt Lake City, UT 84102
8/2/01, WL

Hai-Quan MAO, a citizen of _____,
residing at Block 60, West Coast Crescent, #04-01, West Bay Condominium,
SINGAPORE 128040.

Kam W. Leong, a citizen of _____,
residing at 10242 Breconshire Road, Ellicott City, MD 21042, U.S.A.

(hereinafter also referred to as "the Assignors"); have invented new and useful improvements in **CONTROLLED DELIVERY OF THERAPEUTIC AGENTS BY INSERTABLE MEDICAL DEVICES**, for which we have made applications for Letters Patent of the United States, said applications being serial number 60/173,743, filed in the United States Patent and Trademark Office on 30 December 1999, and serial number 09/750,779, filed in the United States Patent and Trademark Office on 2 January 2001 and claiming priority from serial number 60/173,743; and

WHEREAS, Scimed Life Systems, Inc., organized and existing under and by virtue of the laws of the State of Minnesota, having an office at One Scimed Place Maple Grove, Minnesota 55311 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the applications and invention therein described and claimed and any Letters Patent that may be issued upon the applications or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said applications for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, international, foreign and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

EXHIBIT A

Attorney Docket: 2844/55201

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.

5. Bind my heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

IN TESTIMONY WHEREOF, we have hereunto set our hand and seal this
____ day of _____, 2001.

Wei-ping Li
Wei-ping Li

Hai-Quan Mao

Kam W. Leong

Attorney Docket: 2844/55201

ASSIGNMENT

WHEREAS, WE,

Wei-ping LI, a citizen of _____,
residing at _____

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OFFICE OF PATENT

Hai-Quan MAO, a citizen of the People's Republic of China,
residing at Block 60, West Coast Crescent, #04-01, West Bay Condominium,
SINGAPORE 128040.Kam W. Leong, a citizen of _____,
residing at 10242 Breconshire Road, Ellicott City, MD 21042, U.S.A.

(hereinafter also referred to as "the Assignors"); have invented new and useful improvements in **CONTROLLED DELIVERY OF THERAPEUTIC AGENTS BY INSERTABLE MEDICAL DEVICES**, for which we have made applications for Letters Patent of the United States, said applications being serial number 60/173,743, filed in the United States Patent and Trademark Office on 30 December 1999, and serial number 09/750,779, filed in the United States Patent and Trademark Office on 2 January 2001 and claiming priority from serial number 60/173,743; and

WHEREAS, Scimed Life Systems, Inc., organized and existing under and by virtue of the laws of the State of Minnesota, having an office at One Scimed Place Maple Grove, Minnesota 55311 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the applications and invention therein described and claimed and any Letters Patent that may be issued upon the applications or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said applications for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, international, foreign and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

EXHIBIT B

Attorney Docket: 2844/55201

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.

5. Bind my heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

6th day of August, 2001. IN TESTIMONY WHEREOF, we have hereunto set our hand and seal this

Wei-ping Li

Hai-Quan Mao
Hai-Quan Mao

Kam W. Leong

COPY

ASSIGNMENT

Attorney Docket: 2844/55201

WHEREAS, WE,

Wei-ping LI, a citizen of _____,
residing at _____

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OFFICE OF PATENTS

Hai-Quan MAO, a citizen of the People's Republic of China,
residing at Block 60, West Coast Crescent, #04-01, West Bay Condominium,
SINGAPORE 128040.

Kam W. Leong, a citizen of _____,
residing at 10242 Breconshire Road, Ellicott City, MD 21042, U.S.A.

(hereinafter also referred to as "the Assignors"); have invented new and useful improvements in **CONTROLLED DELIVERY OF THERAPEUTIC AGENTS BY INSERTABLE MEDICAL DEVICES**, for which we have made applications for Letters Patent of the United States, said applications being serial number 60/173,743, filed in the United States Patent and Trademark Office on 30 December 1999, and serial number 09/750,779, filed in the United States Patent and Trademark Office on 2 January 2001 and claiming priority from serial number 60/173,743; and

WHEREAS, Scimed Life Systems, Inc., organized and existing under and by virtue of the laws of the State of Minnesota, having an office at One Scimed Place Maple Grove, Minnesota 55311 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the applications and invention therein described and claimed and any Letters Patent that may be issued upon the applications or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said applications for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, international, foreign and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

EXHIBIT B

Attorney Docket: 2844/55201

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.

5. Bind my heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

6th day of August, 2001. IN TESTIMONY WHEREOF, we have hereunto set our hand and seal this

Wei-ping Li

Hai-Quan Mao
Hai-Quan Mao

Kam W. Leong

05/29/2001, 14:17 FAX 508 647 2730
28/05 '01-11:16 FAX 7736007
MAY-25-01 FRI 08:57 PM

BSC PATENT DEPT.
JOHNS HOPKINS

FAX NO.

→ KENYON DC

1006
1005

P. 03/06



**PCT
POWER OF ATTORNEY
International Application No.
PCT/US/01/00025**

The undersigned person(s):

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

Leong, Kam W.
10242 Breconshire Road
Ellicott City, MD 21042.
U.S.A.

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SEP 19 2001

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hereby appoints (appoint) the following persons as agent(s)

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

Brainard, Charles R.; Toffenetti, Judith
Blunt, Scott and King, Jennifer L.
KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, DC 20005
United States of America

to represent the undersigned before all competent International Authorities in connection with International Application No.: PCT/US01/00025 entitled **CONTROLLED DELIVERY OF THERAPEUTIC AGENTS BY INSERTABLE MEDICAL DEVICES** and to make or receive payments on behalf of the undersigned.

Signature(s) (where there are several persons, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading this power):

Kam Leong
Name:

Date: 5/15/01

EXHIBIT C

Please type a plus sign (+) inside this box



PTO/SB/81 (10-00)

Approved for use through 10/31/2002, OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	09/750,779
Filing Date	January 2, 2001
First Named Inventor	Wei-ping Li Wei-Ping Li
Group Art Unit	1633
Examiner Name	
Attorney Docket Number	2844/55202

I hereby appoint:

☒ Practitioners at Customer Number

23838

Place Customer
Number Bar Code
Label here
☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.
OR

<input type="checkbox"/> Firm or Individual Name				
Address	13242 Bve			
Address				
City		State		ZIP
Country				
Telephone		Fax		

I am the:

☒ Applicant.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Kam W. LEONG
Signature	<i>Kam Leong</i>
Date	5/15/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 3 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DC 360227

EXHIBIT D

**Boston
Scientific**

August 1, 2001

Boston Scientific Corporation
One Boston Scientific Place
Natick, MA 01760-1537Tel. 508.650.8000
www.bsci.comVia Federal ExpressKam W. Leong
10242 Breconshire Road
Ellicott City, MD 21042

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OFFICE OF PATENTS

Re: US Patent Application No. 09/750,779
"Controlled Delivery of Therapeutic Agents by Insertable Medical Devices"
Our Reference Number: 99-L0196

Dear Kam Leong:

Enclosed please find papers for you to sign regarding the above-referenced patent of which you are an inventor, along with Wei-Ping Li and Hai-Quan Mao.

Please sign these papers where indicated and return to me at your next earliest convenience. Please fill in your citizenship information.

Should you have any questions, do not hesitate to contact us.

Sincerely yours,

Cathleen K. Dyer
Legal Assistant to
Scott T. Bluni

:ckd

Enclosures

EXHIBIT E

From: CATHIE DYER (508)652-5646
BOSTON SCIENTIFIC CORPORATION
ONE BOSTON SCIENTIFIC PLACE

NATICK, MA, 01760

To: Kam Leong (508)652-5646

10242 Breconshire Road

Ellicott City, MD, 21042

Ref: 10032



DELIVERY ADDRESS BARCODE (FEDEX-EDI)

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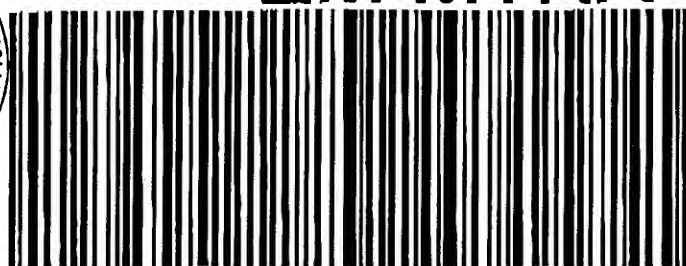
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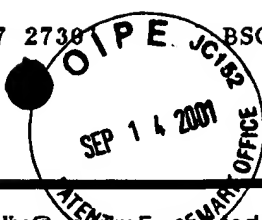
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Dyer, Cathleen

From: sysdeliv@esprinf.com
S nt: Thursday, August 02, 2001 10:15 AM
T : dyerc@bsci.com
Subject: FedEx shipment 790119831146

Our records indicate that the shipment sent from CATHIE DYER/BOSTON SCIENTIFIC CORPORATIO to Kam Leong has been delivered. The package was delivered on 8/2/2001 at 10:04 AM and signed for or released by 10481753.

The ship date of the shipment was 8/1/2001.

The tracking number of this shipment was 790119831146.

Thank you for shipping with FedEx Ship Manager at FedEx.com.
https://www.fedex.com/cgi-bin/ship_it/interNetShip/

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Hotmail®

jennrichking@hotmail.com

[Inbox](#) | [Previous Page](#)**From :** "Kam Leong" <kleong@bme.jhu.edu>**T :** "Jennifer King" <jennrichking@hotmail.com>**CC :** "Jennifer King" <jennrichking@hotmail.com>**Subject :** RE: URGENT --- Patent Applications entitled "Controlled Delivery of Therapeutic Agen**Date :** Fri, 14 Sep 2001 07:01:31 -0400

Dear Jennifer:

I am dismayed to see that the miscommunication continues. I don't know what other signatures are missing now, because I have signed and sent in mine previously. I am out of the country in Singapore now, and the fax number here is (65) 773-5647. Because of the time difference, I may not be able to send your fax back in time. Is there anyway that you can sign for us, through power of attorney? There must be some other way to solve this problem.

Kam

Kam W. Leong, Ph.D., Professor

Department of Biomedical Engineering

726 Ross Building

Johns Hopkins School of Medicine

Baltimore, MD 21205

Tel: 410-614-3741; Fax: 410-955-0549

-----Original Message-----

From: Jennifer King [mailto:jennrichking@hotmail.com]**Sent:** Thursday, September 13, 2001 4:29 PM**To:** kleong@bme.jhu.edu**Subject:** URGENT --- Patent Applications entitled "Controlled Delivery of Therapeutic Agen

Dear Dr. Leong:

Regarding your patent applications entitled "Controlled Delivery of Therapeutic Agents by Insertable Medical Devices", we have yet to receive from you certain papers that must be signed by all inventors and filed with the U.S. Patent and Trademark Office for both the U.S. application and the international application.

EXHIBITS F AND G

It is critical that we file these papers with the U.S. Patent and Trademark Office by tomorrow, 14 September 2001. Specifically, your signature is needed on the Declaration for the U.S. application and the Assignment.

Please contact me via email or telephone as soon as possible. I would be happy to fax blank documents to you, if you do not have them.

If you choose to contact me via email, please reply to this email (jennrichking@hotmail.com), as Kenyon email is not functioning, due to the disaster in New York City.

Thank you.

Best regards,

Jennifer

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Kenyon & Kenyon, 1500 K Street N.W., Suite 700, Washington, D.C. 20005

tel.: 202-220-4363 fax: 202-220-4201 email: jking@kenyon.com

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Dear Dr. Leong:

I apologize for any inconvenience that this may have caused you. Although we have received a signed PCT power of attorney and a signed U.S. power of attorney from you, we have not received a signed Declaration or Assignment.

We must file the signed Declaration in the U.S. PTO today, 14 September 2001, Eastern Daylight Time. It is now 8:30 AM here.

I will fax these documents to you immediately. Please sign them and fax them back to me as soon as possible. Regarding the Declaration, please note that the block for your signature is on the third page. Regarding the both the Assignment and the Declaration, please enter your citizenship in the appropriate spaces, located in your signature area on page three of the Declaration and on page one of the Assignment.

Thank you and Best Regards,

Jennifer

>From: "Kam Leong"
 >To: "Jennifer King"
 >CC: "Jennifer King"
 >Subject: RE: URGENT --- Patent Applications entitled "Controlled Delivery of Therapeutic Agen
 >Date: Fri, 14 Sep 2001 07:01:31 -0400
 >
 >Dear Jennifer:
 >
 >I am dismayed to see that the miscommunication continues. I don't know what
 >other signatures are missing now, because I have signed and sent in mine
 >previously. I am out of the country in Singapore now, and the fax number
 >here is (65) 773-5647. Because of the time difference, I may not be able to
 >send your fax back in time. Is there anyway that you can sign for us,
 >through power of attorney? There must be some other way to solve this
 >problem.
 >
 >Kam
 >-----
 >Kam W. Leong, Ph.D., Professor
 >Department of Biomedical Engineering
 >726 Ross Building
 >Johns Hopkins School of Medicine
 >Baltimore, MD 21205
 >Tel: 410-614-3741; Fax: 410-955-0549
 >

EXHIBIT H

>-----Original Message-----

>From: Jennifer King [mailto:jennrichking@hotmail.com]

>Sent: Thursday, September 13, 2001 4:29 PM

>To: kleong@bme.jhu.edu

>Subject: URGENT --- Patent Applications entitled "Controlled Delivery of

>Therapeutic Agen

>

>Dear Dr. Leong:

>Regarding your patent applications entitled "Controlled Delivery of

>Therapeutic Agents by Insertable Medical Devices", we have yet to receive

>from you certain papers that must be signed by all inventors and filed with

>the U.S. Patent and Trademark Office for both the U.S. application and the

>international application.

>It is critical that we file these papers with the U.S. Patent and Trademark

>Office by tomorrow, 14 September 2001. Specifically, your signature is

>needed on the Declaration for the U.S. application and the Assignment.

>Please contact me via email or telephone as soon as possible. I would be

>happy to fax blank documents to you, if you do not have them.

>If you choose to contact me via email, please reply to this email (

>jennrichking@hotmail.com), as Kenyon

>email is not functioning, due to the disaster in New York City.

>Thank you.

>Best regards,

>Jennifer

>

>

>

>Kenyon & Kenyon, 1500 K Street N.W., Suite 700, Washington, D.C. 20005

>tel.: 202-220-4363 fax: 202-220-4201 email: jking@kenyon.com

>

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KENYON & KENYON

ATTORNEYS AT LAW

1500 K Street, NW - Suite 700

Washington, DC 20005

TELEPHONE: 202/220-4200

FACSIMILE: 202/220-4201

FACSIMILE COVER SHEET

TO : Dr. Kam Leong
FAX NO. : 011 (65) 773-5647
FROM : Jennifer L. King
DATE : September 14, 2001

NUMBER OF PAGES INCLUDING COVER SHEET : -- Six (6) --

IF ANY PAGES ARE MISSING, OR ARE ILLEGIBLE,
PLEASE CALL 202/220-4280 AS SOON AS POSSIBLE

URGENT – FOR IMMEDIATE DELIVERY

Dear Dr. Leong:

I apologize for any inconvenience that this may have caused you. Although we have received a signed PCT power of attorney and a signed U.S. power of attorney from you, we have not received a signed Declaration or Assignment.

We must file the signed Declaration in the U.S. PTO today, 14 September 2001, Eastern Daylight Time. It is now 8:30 AM here.

I have enclosed herewith the documents on which we need your signature.

Regarding the Declaration, please note that the block for your signature is on the third page. Regarding both the Assignment and the Declaration, please also enter your citizenship in the appropriate spaces, located in your signature area on page three of the Declaration and on page one of the Assignment.

Please execute the Declaration and Assignment and fax them to me at 202-220-4201 as soon as possible. I appreciate your assistance in this matter.

Best regards,

Jennifer

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EXHIBIT I

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration
Submitted
With Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number 2844/55202

First Named Inventor LI, Wei-Ping

COMPLETE IF KNOWN

Application Number 09/750,779

Filing Date January 2, 2001

Group Art Unit 1633

Examiner Name

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As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CONTROLLED DELIVERY OF THERAPEUTIC AGENTS BY INSERTABLE
MEDICAL DEVICES**

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

January 2, 2001

as United States Application Number or PCT International

Application Number 09/750,779 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/173,743	12/30/1999	

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

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Name							
Address							
Address							
City		State		ZIP			
Country		Telephone		Fax			
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>							
NAME OF SOLE OR FIRST INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Wei-Ping		Family Name or Surname		LI	
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Mailing Address							
Mailing Address							
City		State		ZIP		Country	
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Hai-Quan		Family Name or Surname		MAO	
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
SINGAPORE				SINGAPORE			
Mailing Address Block 60, West Coast Crescent, #04-01							
Mailing Address West Bay Condominium							
City		State		ZIP		Country	
SINGAPORE				128040		SINGAPORE	
<input checked="" type="checkbox"/> Additional Inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.							

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DECLARATION
ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 3 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Kam W.		LEONG	
Inventor's Signature		Date	
		SEP 19 2001	
Residence: City	Ellicott City	State	MD
		Country	USA
Mailing Address		Citizenship	
10242 Breconshire Rd.		OFFICE OF PETITIONS	
Mailing Address			
City	Ellicott City	State	MD
		ZIP	21042
		Country	U.S.A.
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Mailing Address		Citizenship	
Mailing Address			
City		State	
		Zip	
		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Mailing Address		Citizenship	
Mailing Address			
City		State	
		Zip	
		Country	

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ASSIGNMENT

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WHEREAS, WE,

Wei-ping LI, a citizen of _____,
residing at _____

Hai-Quan MAO, a citizen of _____,
residing at Block 60, West Coast Crescent, #04-01, West Bay Condominium,
SINGAPORE 128040.

Kam W. Leong, a citizen of _____,
residing at 10242 Breconshire Road, Ellicott City, MD 21042, U.S.A.

(hereinafter also referred to as "the Assignors"); have invented new and useful improvements in **CONTROLLED DELIVERY OF THERAPEUTIC AGENTS BY INSERTABLE MEDICAL DEVICES**, for which we have made applications for Letters Patent of the United States, said applications being serial number 60/173,743, filed in the United States Patent and Trademark Office on 30 December 1999, and serial number 09/750,779, filed in the United States Patent and Trademark Office on 2 January 2001 and claiming priority from serial number 60/173,743; and

WHEREAS, Scimed Life Systems, Inc., organized and existing under and by virtue of the laws of the State of Minnesota, having an office at One Scimed Place Maple Grove, Minnesota 55311 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the applications and invention therein described and claimed and any Letters Patent that may be issued upon the applications or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said applications for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, international, foreign and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.

5. Bind my heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

IN TESTIMONY WHEREOF, we have hereunto set our hand and seal this
____ day of _____, 2001.

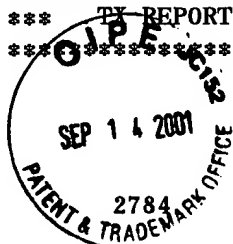
Wei-ping Li

Hai-Quan Mao

Kam W. Leong

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ATTORNEYS AT LAW
1500 K Street, NW - Suite 700
Washington, DC 20005
TELEPHONE: 202/220-4200
FACSIMILE: 202/220-4201
FACSIMILE COVER SHEET

TO : Dr. Kam Leong
FAX NO. : 011 (65) 773-5647
FROM : Jennifer L. King
DATE : September 14, 2001

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IF ANY PAGES ARE MISSING, OR ARE ILLEGIBLE,
PLEASE CALL 202/220-4280 AS SOON AS POSSIBLE

URGENT - FOR IMMEDIATE DELIVERY

Dear Dr. Leong:

I apologize for any inconvenience that this may have caused you. Although we have received a signed PCT power of attorney and a signed U.S. power of attorney from you, we have not received a signed Declaration or Assignment.

We must file the signed Declaration in the U.S. PTO today, 14 September 2001, Eastern Daylight Time. It is now 8:30 AM here.

I have enclosed herewith the documents on which we need your signature.

Regarding the Declaration, please note that the block for your signature is on the third page. Regarding both the Assignment and the Declaration, please also enter your citizenship in the appropriate spaces, located in your signature area on page three of the Declaration and on page one of the Assignment.

Please execute the Declaration and Assignment and fax them to me at 202-220-4201 as soon as possible. I appreciate your assistance in this matter.

Best regards.